

## REMARKS

In response to the Restriction Requirement, the Applicants elect, with traverse, Group III, claims 39-59.

The Applicants traverse the Restriction Requirement and submit that at least Groups I, II, and IV should be recombined into a single group because these groups share a special technical feature. The claims of Groups I, II, and IV share the special technical feature of an  $\alpha$ -(2-8)-polysialic acid-carrier conjugate combined with a saponin. Jennings does not make such a technical feature obvious because Jennings makes no mention of saponins and there is nothing in Jennings that would suggest that saponins be combined with an  $\alpha$ -(2-8)-polysialic acid-carrier conjugate.

The Applicants note that Jennings does not make obvious the claim of Group III because Jennings does not disclose or suggest the treatment of small cell lung cancer or neuroblastoma with an  $\alpha$ -(2-8)-polysialic acid-carrier conjugate and an adjuvant. There is no mention of small cell lung cancer or neuroblastoma in Jennings. In fact, there is no mention of treating any type of cancer in Jennings. Because of this, Jennings also does not make obvious the claims of Groups V and VI, which are directed to the treatment of small cell lung cancer or neuroblastoma.

The Applicants also note that Jennings does not make obvious the claim of Group VII because Jennings does not disclose or suggest the use of antibodies specific for embryonal N-CAM to treat infection.

In response to the requirement to elect species, the Applicants elect the species of KLH and immunogenic derivatives of KLH. The claims of Group III reading on the elected species of KLH and immunogenic derivatives of KLH are claims 39-59.

In response to the requirement to elect species, the Applicants elect the species of GPI 0100. The claims of Group III reading on the elected species GPI 0100 are claims 39-50, 53-56, 58, and 59.

The claims of Group III reading on both elected species are claims 39-50, 53-56, 58, and 59.

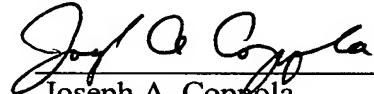
The time for responding to the Office Action was set for April 22, 2005. Enclosed herewith is a Petition for the Extension of Time under 37 C.F.R. § 1.136(a) for a period sufficient to permit the filing of this response.

The Applicants hereby also make a Conditional Petition for any relief available to correct any defect seen in connection with this filing, or any defect seen to be remaining in this application after this filing. The Commissioner is authorized to charge Kenyon & Kenyon's Deposit Account No. 11-0600 for any fees associated with such Conditional Petition.

Respectfully submitted,

Date: September 22, 2005

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